

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of:	)	
	)	
Amendment of Part 15 of the Commission	)	
Rules to Allow Certification of	)	ET Docket 98-156
Equipment in the 24.05 to 24.25 GHz Band	)	
At Field Strengths up to 2500mV/m	)	

**Information Technology Industry Council Comments in Response to the  
Petition for Reconsideration by the Amateur Radio Relay League**

The Information Technology Industry Council (ITI) appreciates this opportunity to submit comments in response to the above-captioned proceeding initiated by a Petition for Reconsideration by the Amateur Radio Relay League (ARRL).

The Information Technology Industry Council (ITI) represents the leading U.S. providers of information technology products and services. In 2000, ITI member companies employed more than one million people in the United States and exceeded \$668 billion in worldwide revenues. Since 1995 the IT industry was the dominant force behind the U.S. economy's acceleration in productivity growth and was directly responsible for one third of the U.S. economic growth.

**INTERFERENCE**

ITI fully supports elimination of harmful interference between licensed and unlicensed devices should they occur. However, ITI does not believe the type of unlicensed devices of concern to ARRL have significant potential for interference to licensed radio services. Unlike the 24.0 to 24.05 GHz band, which is designated primarily for amateur satellite, the 24.05 to

24.25 GHz band is shared with Radio Location Services, Earth Satellite Services, Part 90 Private Land Mobile devices, Part 18 ISM as well as the Part 15.249 radio devices.

The systems being deployed under Part 15.249 of the rules operating in this frequency range are highly directional point-to-point systems. These line-of-sight systems, even operating at 2500mV/m using narrow beam directional antennas, should not pose any undue or significant threat to amateur satellite operation. Therefore, ITI strongly supports the continued operation and deployment of unlicensed point-to-point systems in the 24.05 to 24.25 GHz band.

### FCC AUTHORIZATION

ARRL claims the Commission has no authorization or jurisdiction to permit unlicensed services to operate anywhere on the spectrum if there is a perceived potential of interference. ITI contends this is a misinterpretation by ARRL of the 1996 Telecommunications Act and the implementing regulations and does not agree or support ARRL's conclusions. Furthermore, the Commission rejected ARRL's similar claims through the 1998 Sierra Digital Communications, Inc. Report & Order describing ARRL's interpretations as "overly conservative." (Reprinted in ARRL Petition, page 3).

ITI agrees the Commission is fully within their jurisdiction to help advance the creation and advancement of new and innovative unlicensed low power products and services through authorizing the operation of unlicensed devices which have been determined to be "*unlikely to cause interference to the licensed radio services.*" (Emphasis added) (Reprinted in ARRL Petition, page 3). Moreover, the 1998 Sierra Digital Communications, Inc. Report and Order responding stated "the Commission may, consistent with the public interest . . . make reasonable regulations governing the interference potential of devices . . . that may cause harmful interference to radio communications." (98-156, September 1, 1998).

Furthermore, ITI commends the FCC for authorizing unlicensed services to use low power levels on a non-interfering basis. ITI submits the success of Part 15 unlicensed radio services is a result of the FCC foresight towards encouraging new technologies and providing low cost alternatives to both businesses and consumers.

Finally, ITI wants to illuminate the key role unlicensed devices play in today's growing economy and business infrastructure by allowing low cost access and flexibility to the Internet as an alternative to wired facilities. Unlicensed devices also play a key role during emergency situations. For example, within hours after the tragic events of September 11, wireless Part 15 WLAN devices were deployed permitting critical infrastructure to resume normal operations for the Department of Defense, disaster relief and emergency agencies, news organizations, and other sensitive businesses. These devices kept emergency personnel connected allowing the transfer of critical information after the wired infrastructure was destroyed.

ITI respectfully requests the Commission to dismiss the ARRL Petition for Reconsideration of the Part 15 rules.

Respectfully submitted,

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